

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Eliecer Berrezueta, individually and on behalf of all others  
situated,

Plaintiffs,

*-against-*

Powerhouse Food Corp. d/b/a Holiday Farms and David  
Mandell,

Defendants.

Case No.: 20-cv-4920 (JMA)(AKT)

**[SO ORDERED]  
STIPULATION TO TOLL  
STATUTE OF LIMITATIONS  
FOR OPT-IN PLAINTIFFS**

IT IS HEREBY STIPULATED AND AGREED by and among the Plaintiff, Eliecer Berrezueta, individually and on behalf of all others similarly situated, and the Defendants Powerhouse Food Corp. d/b/a Holiday Farms and David Mandell, who are authorized by their respective clients to execute this Stipulation, that the statute of limitations with respect to any individual who elects to opt-into this action under 29 U.S.C. § 216 shall be tolled for the period from January 19, 2021 until 14 days after the date on which mediation with a member of the Eastern District of New York mediation panel is completed.

IT IS FURTHER STIPULATED AND AGREED that Plaintiff shall not move for conditional certification of an FLSA collective during the time which the statute of limitations is tolled.

Dated: February 17, 2021

MOSER LAW FIRM, P.C.  
*Attorneys for Plaintiff*

/s/ Steven J. Moser

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Dated: February 17, 2021

ECKERT SEAMANS CHERIN  
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/s/ Kelly Robrano Koster

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SO ORDERED: